

Notice of Allowability

Application No.

09/783,560

Examiner

FIRMN BACKER

Applicant(s)

KANG, DONG-SEOK

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Febru 27th, 2006.
2. ☒ The allowed claim(s) is/are 1-22.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

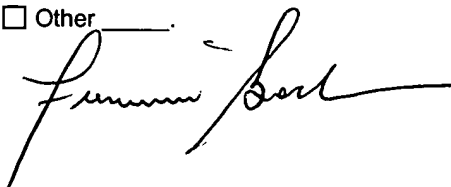
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



DETAILED ACTION

Allowable Subject Matter

1. Claims 1-22 are allowed.
2. The following is an examiner's statement of reasons for allowance:
 - a. Applicant discloses an invention relates to digital contents download services, and more particularly, to a method of superdistribution of digital contents through download services. Applicant's invention is novel and innovative in the sense that it provide a digital contents superdistribution system and a method of distributing digital contents which allow a person who legally receives a download of digital contents to distribute the downloaded contents and to be offered a predetermined portion of profits resulting from distribution of the downloaded contents. Furthermore, Applicant's system is provided such that if the copy of the digital contents distributed by the first user computer are executed on the second user computer, the second user computer accesses the server computer due to a failure of a security check on the security code set on the copy of the digital contents, and if the second user computer accesses the server to make payment for the copy of the digital contents, a predetermined compensation is offered to a first user of the first user computer who has distributed the copy of the digital contents received by the second user computer. The closest prior arts Mourad (U.S. PG Pub No. 20030135464) teach system and related tools for the secure delivery and rights management of digital assets, such as print media, films, games, and music over global communications networks such as the Internet, the World Wide Web, and cable or satellite digital broadcast networks. Guheen et al (U.S. PG Pub No. 20040107125) teach

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a system relating to conveying information regarding a web architecture framework and more particularly to identifying alliances of various business entities in a system. Mourad taken alone or in combination with Guheen et al fail to teach or suggest a digital contents superdistribution system and a method of distributing digital contents which allow a person who legally receives a download of digital contents to distribute the downloaded contents and to be offered a predetermined portion of profits resulting from distribution of the downloaded contents, let alone a system wherein if the copy of the digital contents distributed by the first user computer are executed on the second user computer, the second user computer accesses the server computer due to a failure of a security check on the security code set on the copy of the digital contents, and if the second user computer accesses the server to make payment for the copy of the digital contents, a predetermined compensation is offered to a first user of the first user computer who has distributed the copy of the digital contents received by the second user computer

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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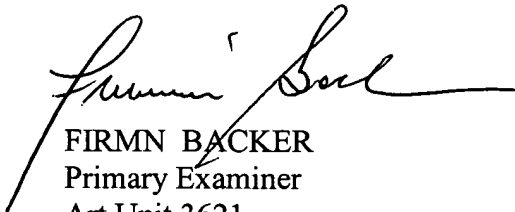
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMN BACKER whose telephone number is 571-272-6703.

The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


FIRMN BACKER
Primary Examiner
Art Unit 3621

March 28, 2006